



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CWP-37706-2025 (O&M)
Date of decision: 23.12.2025**

Rajinder Singh

....Petitioner

Versus

Pepsu Road Transport Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sunny Singla, Advocate
for the petitioner.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the order dated 27.12.2019 (Annexure P-5) wherein the claim of the interest on the delayed payment of arrears of overtime amount is rejected. Further a writ of *mandamus* has been sought, directing the respondents to release the interest to the petitioner on the delayed payment of arrears of overtime allowance in terms of statutory rules, government instructions and law laid down by this Court.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner, who retired as a Conductor from the Punjab Roadways Transport Corporation on 30.04.2013, was lawfully entitled to overtime allowance which was admittedly withheld by the respondents on the ground of financial constraints. He further submits that despite issuance



of a legal notice dated 11.06.2015 (Annexure P-1) and the filing of CWP No.22031 of 2015, this Court directed the respondents to decide the petitioner's claim by passing a speaking order, however, though the respondents acknowledged the petitioner's entitlement to overtime allowance vide order dated 26.10.2016, they arbitrarily denied interest on the delayed payment vide impugned order dated 27.12.2019 (Annexure P-5). Learned counsel for the petitioner further submits that owing to continued non-compliance and delay, the petitioner was constrained to file Contempt Petition i.e. COCP No.413 of 2021, which was disposed of by this Court on 06.07.2023 (Annexure P-6) with liberty to the petitioner to avail the appropriate alternative remedy. He further contends that the prolonged and unexplained withholding of a statutory and earned monetary benefit, even after retirement, has caused grave financial prejudice to the petitioner and denial of interest to the petitioner is *ex facie* unjust, discriminatory and violative of the doctrine of legitimate expectation. Learned counsel for the petitioner lastly submits that once the respondents have admitted the petitioner's entitlement to overtime allowance, they cannot lawfully withhold the amount for years without payment of interest in view of the settled law.

3. Having heard learned counsel for the petitioner and after perusing the record of the case with his able assistance, the present petition is being decided *in limine* without issuing notice to the respondents in order to save judicial time of the Court and also the litigation costs of the respondents.



4. From the perusal of the record, it transpires that the petitioner's claim for overtime allowance was duly examined pursuant to the directions issued by this Court in CWP No.22031 of 2015 and a speaking order dated 26.10.2016 was passed, whereby the petitioner's entitlement to overtime allowance was acknowledged and the arrears were thereafter released. However, so far as the claim for interest on the delayed payment is concerned, the same was specifically considered and rejected by the competent authority vide order dated 27.12.2019 (Annexure P-5). A careful reading of the impugned order reveals that the delay in release of overtime allowance was attributed on account of financial constraints of the respondent/Corporation and not due to any deliberate or *mala fide* action on the part of the respondents. It is also not disputed that there exists no statutory rule, regulation, or binding government instruction mandating payment of interest on delayed disbursement of overtime allowance. In the absence of any such statutory or contractual provision, interest cannot be claimed as a matter of right and the rejection thereof cannot be termed arbitrary or illegal.

5. Merely because the payment of overtime allowance was delayed, that by itself does not automatically entitle the petitioner to interest, particularly when the principal amount has already been released and there is no finding of intentional or unjustified withholding by the respondents. The doctrine of legitimate expectation cannot be invoked in a vacuum and must be founded on a legal or statutory basis, which is conspicuously absent in the present case. The filing of the



contempt petition and the liberty granted therein to avail alternative remedy also does not confer any substantive right upon the petitioner to claim interest contrary to law.

6. In view of the above discussions, this Court does not find any illegality, perversity or arbitrariness in the impugned order dated 27.12.2019 (Annexure P-5) warranting interference under Articles 226/227 of the Constitution of India. Accordingly, the present writ petition is dismissed *in limine*.

7. Pending miscellaneous application(s), if any, also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

23.12.2025
yakub

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No